

Introduced by Senator Wright

February 20, 2013

An act to amend Section 10101 of the Public Contract Code, relating to state contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 399, as introduced, Wright. State contracts: toxic substances: expedited payment procedure.

The State Contract Act prescribes the procedures and requirements applicable to various state agency contracts. The act excludes contracts made for specified emergency toxic substance work or remedial measures from the procedures and requirements of the State Contract Act, if the work is immediately necessary to protect the health, safety, and welfare of the general public, as specified.

This bill would require an expedited payment procedure for work that is successfully performed for contracts made for specified emergency toxic substances or remedial measures.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 10101 of the Public Contract Code is
- 2 amended to read:
- 3 10101. (a) Contracts for the purchase of supplies or materials,
- 4 which are purchased pursuant to Chapter 2 (commencing with
- 5 Section 10290), are not subject to this chapter, even though the
- 6 seller is required to perform some incidental work or service in
- 7 connection with the delivery of the material or supplies.

1 (b) Contracts for which emergency work or remedial measures
2 are required are not subject to this chapter if the work or remedial
3 measures are necessary to immediately avert, alleviate, repair, or
4 mitigate destruction of property caused by the accidental or
5 unplanned release of toxic substances and are necessary to protect
6 the health, safety, and welfare of the general public. *Work that is*
7 *successfully performed pursuant to a contract under this*
8 *subdivision shall be paid pursuant to an expedited payment*
9 *procedure.*

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